

***ELECTRONIC FILING***

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/575,589  
Inventor : Fergus Francis Murray  
I.A. Filing Date : 10/14/2004  
Title : LABORATORY APPARATUS WITH TWO CABINETS  
Art Unit : Unassigned  
Examiner : Unassigned  
  
Docket No.: : URQUH-73865  
Customer No. : 24201

**DECLARATION OF JOHN K. FITZGERALD**  
(Petition Under 37 CFR § 1.47 (b))

I, JOHN K. FITZGERALD, hereby declare and state as follows:

1. I am an attorney of record in the above-identified patent application. I was contacted by Sue Ratcliffe of Urquhart-Dykes & Lord LLP to file the National Phase application based on European Patent Application EP12998069 for their client Ruskinn Technology Limited of the United Kingdom. I did file the afore-mentioned National Phase Application in the US/RO on April 12, 2006.

**DILIGENT EFFORT TO HAVE INVENTOR SIGN APPLICATION:**

2. On December 5, 2006, I sent a letter to Sue Ratcliffe of Urquhart-Dykes & Lord LLP advising them that the subject application had been filed and that the Patent Office now required the inventors to sign a Declaration and Power of Attorney in order to complete the filing process.

3. On January 30, 2007, Ms. Ratcliffe had advised me that she was enclosing the signed Declaration of Andrew Skinn, however, the co-inventor Fergus Francis Murray did not

sign because he now works for a rival company. Mr. Skinn did, however, sign on behalf of Fergus Francis Murray.

4. On April 24, 2007, Mr. Ratcliffe advised me that it was unlikely that the co-inventor Fergus Francis Murray would be cooperating in any way and would not sign the Declaration and Power of Attorney.

5. The declaration of Sue Ratcliffe, filed concurrently herewith, sets forth her diligent efforts to obtain Mr. Murray's signature on the Declaration and Power of Attorney and documents Mr. Murray's refusal to so sign.

LAST KNOWN ADDRESS OF FERGUS FRANCIS MURRAY

6. The last known address of Fergus Francis Murray is:

38 Lowash Avenue, Shipley BD18 1JJ, Great Britain

7. The undersigned declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: May 31, 2007

FULWIDER PATTON LLP

By: /john k. fitzgerald/  
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